

BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, January 22, 2004

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, January 22, 2004, at 3:00 p.m., at Police Headquarters, 1300 Beaubien, Rm. 328-A, Detroit, MI 48226.

ATTENDANCE

Board Members Present

Willie E. Hampton **(ABS)**
Arthur Blackwell, II
Erminia Ramirez
Edgar L. Vann, Jr.
Megan P. Norris

Department Personnel Present

AC Walter E. Shoulders
Insp. Walter Martin
Insp. Jamie Fields
Insp. Todd Bettison
Cmdr. Ralph Godbee
Cmdr. Vivian Talbert
Lt. Blackmon
Sgt. Debbie Jackson
Sgt. Bennett
Sgt. Slappey
Sgt. Lemons
Sgt. Harper
Inv. Joseph Turner
PO Watson
PO M. Brandemere
PO Reggie Crawford
PO Linda Bordin
PO Paul Stewart
PO Ivette Reed
Civ. 3rd DC Tara Dunlap
Atty. Grant Ha, City Law Dept.

Board Staff Present

Dante' L. Goss, Exec. Director
Denise R. Hooks, Attorney/Supervising Inv.
Arnold Sheard, Interim Chief Investigator

Ainsley Cromwell, Supervising Investigator
E. Lynise Bryant-Weekes, Personnel Director

OTHERS PRESENT

Rev. Jim Holley
Ben Schmidt
Ron Scott
Gloria Canales
Herman Vallery
Mike Payne
Tracey Shields
Theo Bruton
Lillie Kimbrough
Sandra Hines

RECORDERS

Jerome Adams
Felicia Hardaway
Kellie Williams

1. CALL TO ORDER

Commissioner Blackwell called the regular meeting of the Detroit Board of Police Commissioners to order at 3:15 p.m.

2. APPROVAL OF MINUTES

- **Thursday, January 15, 2004**

MOTION: **Comm. Vann** made the motion to approve the minutes of Thursday, January 15, 2004.

SECOND: **Comm. Norris** seconded the motion

VOTE: All in attendance voted in the affirmative.

3. REPORT FROM THE CHAIR

Comm. Blackwell stated that this is the last and official meeting for Comm. Vann and he asked Comm. Vann if he wished to make remarks.

Comm. Vann stated that he has truly had a tremendous experience working here with the Board of Police Commissioners for the last six (6) years. I have had the pleasure to work under five (5) Chiefs in the six (6) years. He stated that it was a pleasure working with each one of them and that may not have been the most ideal situation in the last six (6) years but, certainly he has seen the Department evolve over the last few years in many ways. Not because of its leadership but because of the work and the diligence of this commission to be an independent and representative body or liaison between the citizens of the city of Detroit and the police department itself.

I have had the privilege of serving as chair of this commission, and during that time, it was a very tense time in the city because of a lot of police shootings that had taken place, a lot of issues and challenges as it related to Use of Force. I think that as a commission, especially during that period, we met those challenges head-on and were very courageous in terms of trying to move the ball forward and move police reform forward in hearing those directives that were coming from those in city government that wanted to effectuate a higher standard. The work continues and the struggle continues. As long as there is a struggle, we will remain in the struggle.

He thanked all of his colleagues who were present, the colleagues that he has served with through the years and some of whose pictures are now on the wall. He has established great relationships with the police officers and police executives and he holds them in high esteem. This is a job that very few of us would do or do well. He is in awe of the overwhelming number of men and women of this department who put their lives on the line everyday and does a fine job. He knows that there are going to be challenges with the small number of officers that may not do that superbly to this commission to continue to be vigorously address that and reform working the with Department of Justice (DOJ) now to effectuate the Consent Decrees that are upon this Department at this point. He has great confidence in the new Chief Ella M. Bully-Cummings and she will do a great job along with her staff and others to take the Detroit Police Department where it should go.

The issue of civilian oversight is going to become much more of a prevalent issue across the country. He was very privileged during the six years to work with NACOLE, which is National Association Committee Oversight of Law Enforcement, and there we saw many national strategies and sat at many forums that have been very beneficial to the work of this commission. He would hope that in the future, this commission would continue to lift up those standards with the character and integrity that the citizens expect.

Comm. Blackwell stated to Comm. Vann that on behalf of the Board of Police Commissioners, thanked Comm. Vann for his years of service and that he was the senior on this Commission relative to tenure and experience and having served under two (2) administrations and multiple chiefs. We do believe things are moving in the right direction but our work is cut out and we appreciate your service.

RESOLUTION HONORING REVEREND EDGAR L. VANN, JR. (Commissioner)

- WHEREAS** Mayor Dennis W. Archer appointed Reverend Edgar L. Vann, Jr. to the Board of Police Commissioners in February 1998; and
- WHEREAS** Commissioner Vann's pastoral training, coupled with his civic, political and business acumen proved to be assets in dealing compassionately and decisively with the myriad of issues and controversies confronting the Police Department; and
- WHEREAS** During his tenure, Commissioner Vann served on the Disciplinary Appeals, Promotional Appeals, Budget and Policy Subcommittees, each of which required time outside of that needed to prepare and attend the weekly Board meetings; and
- WHEREAS** On July 1, 1999, Commissioner Vann was elected Vice-Chair of the Board and Chair on July 1, 2000. Under his leadership, Commissioner Vann conceived and successfully hosted a Twenty-five Year Celebration of the Board, as well as the Board's first Town Hall Meeting; and
- WHEREAS** Commissioner Vann eloquently addressed City Council during its 2000 Police Department hearings where he set forth initiatives (all fully implemented during his tenure) to improve the Board as an organization and its civilian oversight of the Police Department; and
- WHEREAS** Commissioner Vann's strong will and determination prevailed in increasing the staff of the Commission to include new positions of Community Affairs Coordinator, Research and Analysis, and Senior Investigator, as well as additional Investigators, to advance the mission of the Board; and

WHEREAS Commissioner Vann, not being satisfied with the status quo, was instrumental in moving the Board into a more proactive role, so as to more fully carry out its Charter mandated responsibilities, to include: creation of a Board manual of operations, increased training for Commissioners, and actively seeking a better understanding of the history and role of civilian oversight in the United States and Detroit; and

WHEREAS Commissioner Vann's term on the Board has ended. His visionary spirit, strong leadership, tenacity and love for the community and the Police Department set the Board on a new course;

NOW THEREFORE BE IT

RESOLVED That the Board of Police Commissioners, speaking for the citizens of Detroit and Detroit Police Department, gratefully acknowledge the valuable contributions of Rev. Edgar L. Vann, Jr. His tireless efforts and dedicated service in his role of Commissioner enhanced the quality of civilian oversight provided to the citizens and to the Police Department. His commitment merits our highest regard and best wishes for continued success.

We salute and congratulate you, Rev. Edgar L. Vann, Jr.

/s/Willie E. Hampton
Chairperson

/s/Arthur Blackwell
Vice Chairperson

/s/Erminia Ramirez
Commissioner

/s/Megan P. Norris
Commissioner

DETROIT BOARD OF POLICE COMMISSIONERS

JANUARY 22, 2004

MOTION: Commissioner Norris made the motion to adopt the Resolution.

SECOND: Commissioner Ramirez seconded the motion.

VOTE: All in attendance voted in the affirmative.

Promotions

January 20, 2004

Board of Police Commissioners
1300 Beaubien
Room 328
Detroit, Michigan 48226

**RE: RECOMMENDATION TO RESCIND THE PROMOTIONAL LIST FOR
SERGEANTS THAT WERE APPROVED BY THE BOARD OF POLICE
COMMISSIONERS ON JANUARY 15, 2004**

Dear Board Members:

On January 12, 2004, the Personnel Bureau prepared a list containing the names of **80** candidates eligible for promotion to the rank of sergeant, **15** candidates to the rank of lieutenant, and **10** investigators to the rank of sergeant.

On January 15, 2004, the board approved the list as submitted for all candidates to be promoted to the rank of sergeant and lieutenant.

On January 16, 2004, the Personnel Bureau was informed that the department had passed over **4** candidates, **1** investigator, and **3** police officers that were eligible for promotion to the rank of sergeant. The members passed over were currently on the "Sergeant's Eligibility Roster." A subsequent check disclosed that the **4** candidates passed over for promotion had submitted their official college transcripts to the Personnel Bureau prior to the approval of promotions on January 15, 2004. The transcripts indicated that the candidates earned the minimum number of college credits required to be eligible for promotion to sergeant.

In order to promote the **4** candidates passed over and not impact the number of budgeted positions for sergeant, I am recommending that the promotional list be rescinded by removing **3** candidates in reverse order from the list (see attachment). Additionally, **1** candidate, Investigator Kimberly Brittain's disabled duty status and a recommendation by the department's physician that

she be approved for a duty disability retirement, I am recommending that Investigator Brittain's promotion to sergeant be rescinded.

Accordingly, I am submitting for your review and approval the names of 1 investigator and 3 police officers that are on the sergeant's eligibility roster to the rank of "**Sergeant.**"

Currently, there are 188 budgeted positions for the rank of lieutenant and 24 vacancies; 620 budgeted positions for the rank of sergeant and 56 vacancies. By rescinding the approved list for promotion, the number of candidates will remain the same (80). It is my intention to commence training for all candidates on February 6, 2004, or soon thereafter as may be feasible.

As always, I am available at your convenience if you have additional questions or concerns.

Sincerely,

ELLA M. BULLY-CUMMINGS
Chief of Police

EMB:wjm

Attachments (2)

Comm. Blackwell asked the Executive Director Dante' Goss to give an explanation regarding the reasons for adding and removing candidates from the promotional list.

Executive Director Dante' Goss stated that the Personnel Bureau accidentally skipped four (4) candidates for promotion to sergeant. They went back and found the mistake and now are taking four (4) people off the sergeant's promotion's list and adding the four (4) people who are supposed to be next on the list. One person, Investigator Brittain was being promoted to Sergeant, but she is scheduled for a duty disability retirement, so only three (3) people are being affected by this mistake by having their names on the promotional list.

Comm. Blackwell asked if we need a joint motion or two separate motions?

Executive Director Goss stated two (2) motions.

Comm. Blackwell asked one to remove and one to add?

Executive Director Goss stated yes, sir.

**POLICE OFFICERS/INVESTIGATOR TO BE REMOVED FROM
PROMOTIONAL LIST**

		Last Name	First Name
1.	152	Brittain	Kimberly
2.	241	Bolden	Pamela
3.	242	Turner, Jr.	Joseph
4.	243	Rodgers	Beverly

Comm. Vann asked what is the reason and how did it happen in the first place?

Executive Director Goss stated that there was a mistake when they did the list.

Comm. Vann asked a mistake happened where?

Executive Director Goss answered they stated at the Personnel Bureau.

Comm. Vann answered okay.

Comm. Blackwell asked if there were any other discussions?

Comm. Norris stated that inadvertent I'm sure, it's a pretty big mistake and I think we need to just officially apologize to the folks that thought they got promoted last week and now being removed from the list. It is unfortunate that it happened and it is not the fault of the folks that we just rescinded.

Comm. Vann stated that in the past, we have always been a bit critical of sometimes the promotion list coming without proper due diligence phase going into that but I can recall when we got the promotion lists that were still hot from the zerox machine and we were asked to pass on them immediately without our due diligence and scrutiny. This only proves that we do need to have some sense of propriety as it relates to this. Often times, celebrations are planned and families are notified, and this has to be a real shocker I am sure. Whatever happened, it doesn't really matter at this point and we are certainly not passing any blame on anyone. It is a fact that people will inform their families as soon as we vote, they will hit the cell phones in the hallways and call the world to let them know that they have gotten their promotion and we know that. That is a concern that I'm sure we will want to address in the future.

Comm. Blackwell asked if these people are still on the promotion list and are next in line?

Executive Director Goss answered yes.

Comm. Blackwell stated as **Comm. Vann** stated, it is an unfortunate mistake and hopefully one that as soon as these positions open, they will be readily promoted.

MOTION: **Comm. Norris** made the motion to remove the candidates from the Promotional list.

SECOND: **Comm. Ramirez** seconded the motion.

VOTE: All in attendance voted in the affirmative.

**POLICE OFFICERS/INVESTIGATOR ELIGIBLE FOR PROMOTION
CANDIDATES TO BE ADDED**

		Last Name	First Name
1.	173	Harris	Robert N.
2.	188	Cottrell	Boyd
3.	192	Bradford	Tracey
4.	220	Tidwell, Jr.	Roosevelt

MOTION: **Comm. Norris** made the motion to add the candidates from the Promotional list.

SECOND: **Comm. Vann** seconded the motion.

VOTE: All in attendance voted in the affirmative.

Oath of Office/Swear-in

Vice Chairperson Arthur Blackwell swore in Rev. Jim Holley, who is the newly appointed Police Commissioner who is replacing **Comm. Edgar L. Vann, Jr.** **Comm. Jim Holley** will take his seat on the Board at next Thursday's board meeting.

4. SECRETARY'S REPORT – EXEC. DIR. GOSS

CITIZEN COMPLAINTS RECEIVED

NOTE: Due to technical difficulties, the Office of the Chief Investigator has not been able to enter 2004 Citizen Complaint Reports in the database.

2004

During the past week:	17	Year to Date:	82
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2003

During the past week:	17	Year to Date:	57
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5. REPORT/PRESENTATION – CHIEF OF POLICE

DETROIT POLICE DEPARTMENT

Board of Police Commissioners

The Detroit Police Department's mission is building a safer Detroit through community partnerships. Therefore, the following enforcement actions were conducted during the week of January 14-20, 2004:

ORGANIZED CRIME AND GANG DIVISION

The Narcotics Enforcement Section conducted three enforcement actions in the following areas: 2000 block of Clifford, 9300 block of Burnette and 12000 block of Auburn, in the City of Detroit. These enforcement actions resulted in the following arrests and confiscations:

3 felony arrests

3 misdemeanor arrests

58 grams of cocaine, 37 grams of heroin – street value \$89,800.00

\$43.00 in U.S. currency

Vice Section – conducted one enforcement action in the 15600 block of Joy Road, resulting in the following arrests and confiscations:

1 arrest for "Carrying a Concealed Weapon on Person"

16 arrests for "Engage in Illegal Occupation"
1 handgun & 5 vehicles confiscated

In addition, there were approximately six hundred (600) 14-16 year-olds investigated and released, who were consuming alcoholic beverages on the premises.

SIXTH PRECINCT INVESTIGATIVE OPERATIONS UNIT

On January 10, 2004, an armed robbery occurred in the 12000 block of Archdale, in the City of Detroit. A subject at gunpoint demanded two female complainants give up their Pelle hooded jackets. As a result of the investigation, the wanted subject was arrested for "Armed Robbery and Habitual 2nd," and two juveniles were detained. The officers recovered the complainants' two jackets and a handgun.

ELEVENTH PRECINCT

On January 16, 2004, officers of the 11th Precinct received a police run to the 1200 block of E. State Fair to investigate an alarm. Upon arrival at the location, the officers observed a broken window and a security bar pushed back. They obtained a list of missing items from the owner of the business and began to search the nearby area. The officers tracked fresh footprints in the snow across a vacant field, which lead to a male subject walking with a backpack. As a result of their investigation, the subject was found in possession of items reported taken and tools used in the breaking and entering. He was subsequently arrested without incident for "Breaking and Entering Business, Habitual 4th."

SPECIAL RESPONSE TEAM & TACTICAL SERVICES SECTION

On January 17, 2004, the Special Response Team and the Tactical Services Section were requested to the 500 block of Dickerson on a Barricaded Gunman situation. Further investigation revealed that a domestic dispute had turned violent; the complainant's boyfriend was brandishing an assault rifle and he fired a round. After two hours of negotiation attempts, the subject surrendered without further incident. He was conveyed to the 5th Precinct for processing.

Chief of Police Ella M. Bully-Cummings

6. DISCIPLINARY APPEAL ARGUED – APPEALS SUBCOMMITTEE

JANUARY 15, 2004

SERGEANT CARL CLARKE
BADGE S-5

BPC 03-010D

Charges

I. Conduct Unbecoming an Officer, six specifications; and II. Neglect of Duty, two specifications.

**Trial Board Decision
And Penalty**

Found guilty.

Dismissed from the Department.

Recommendation

Reverse the decision of the Trial Board in its entirety.

MOTION: **Comm. Vann** made the motion to approve the Recommendation.

SECOND: **Comm. Norris** seconded the motion.

VOTE: All in attendance voted in the affirmative.

7. **GENERAL ORDERS** - Insp. Jamie Fields, Planning and Accreditation Section, gave a brief overview regarding the General Orders listed below:

Detroit Police Manual Directive 101.9 – Board of Ethics
Detroit Police Manual Directive 101.9 (9.1, 9.2) – Sports Sanction Committee
Detroit Police Manual Directive 303.1 – Department Vehicles

Insp. Fields stated that the Board of Ethics removed the rank of Investigator and added three (3) Citizen Advisors positions.

Insp. Fields stated that the Sports Sanction Committee removed the rank of Investigator and added three (3) Citizen Advisors positions.

Insp. Fields stated that the Department Vehicles is the same as before with several changes: 1) They are now requiring everyone driving department vehicles to wear their seatbelts, 2) There is zero tolerance policy for alcohol use of anyone driving a department vehicles. There are two (2) types of department vehicle uses: 1) Unrestricted use and) 2) Based on department need. The only personnel who have unrestricted use of department vehicles are the rank of Inspector and above. If

anyone below the rank of Inspector wants unrestricted use of a department vehicle, they must petition the Chief of Police. Sometimes it is necessary because of operational needs. For example, a Canine officer gets called in the middle of the night and might be expedient if he has a car at his house. That is in effect January 1st of every year and expires within 30 days of January 1st, we ask the Chief for permission, so it is not an on-going thing.

As far as the zero alcohol tolerance, it is in line with the Consent Decree. The requirement of the Consent Decree is that as far as carrying your gun off-duty and carrying your gun on-duty. We have always had a rule that you cannot be fit if you drink and you can't be fit for duty and drive a department vehicle. This policy changes somewhat and it says that if you go someplace where you know you will be consuming alcohol, and then you cannot drive a department vehicle. That is in line with some of the requirements under the Consent Decree.

Comm. Vann stated that he is a little unclear on this last point as it relates to if he knows he is going somewhere I am going to consume alcohol.

Insp. Fields stated that the one of the provisions in the Consent Decree says there is a provision concerning officers carrying their guns off-duty and on-duty conduct. The Consent Decree says that if you drink and you are not fit for duty, you should not have a gun and performing police duties. The Consent Decree changes a little bit and says that if you know you are going to go somewhere and consume alcohol, for instance, you are going to a retirement party or bar and you know you are going to be drinking alcohol, you should not be in possession of your gun. Basically, the same is for department vehicles, so if you know you are going to a party and drinking, the issue is that you are driving a department vehicle and people know you are driving a department vehicle. You could get flagged down at anytime in a department vehicle and we want people to be able to react properly and we want to save the city some liability from accident related accidents. The city is liable for anyone who does harm anyone while in a department vehicle.

Comm. Ramirez stated that she thought the same rule would apply if you were in your own private vehicle.

Insp. Fields stated that the state law says 0.8 and it is higher than a 0. He thinks that someone driving a department vehicle, it should be zero.

Comm. Blackwell asked there are two (2) issues. The issue is that the new General Orders say if you plan on drinking or may drink, leave your weapon at home?

Insp. Fields stated no. This is not dealing with the weapon. That is something in the Consent Decree will come forth. This is dealing with the department vehicles only.

Comm. Blackwell asked if you are going anywhere and you plan to drink or you could drink, you should leave the department vehicle at home?

Insp. Fields answered correct.

Comm. Blackwell asked take your own vehicle?

Insp. Fields answered correct.

Comm. Blackwell answered okay.

Comm. Vann asked if you are in your own vehicle, what is the difference which vehicle you are in?

Insp. Fields answered it is a liability issue.

Comm. Vann asked but if I have a gun with me off-duty?

Comm. Norris stated that is a separate policy.

Insp. Fields answered that is a separate issue that we are going to be doing.

Comm. Norris stated that her understanding based on the meeting that we had yesterday is that this particular policy is not required by the Consent Decree. There is another policy regarding guns that is required by the Consent Decree and we are trying to be consistent in our reasoning. The gun policy will have to go before the Department of Justice (DOJ) before it comes to us for a vote. Is that right?

Insp. Fields stated yes that is correct.

Comm. Norris stated that the way that works is the Department drafts it and the Chief signs off on it, and it goes to the Department of Justice (DOJ). The DOJ fusses and does whatever it wants and it comes back to the Department back and forth. When everybody is happy, it comes to the Board and then there will be time for public comment and ultimately, the Board would vote on it. My only question is there any worries that this policy, since we have not drafted the other one yet, and it has not been blessed by all of the right people. Do we have any worries about this policy given that it has not gone through that process?

Insp. Fields answered not really, because we are being consistent and it is also separate issues. I don't want to confuse the two (2) issues. This standing alone is a risk issue and we are dealing with risk issues and if we can deal with something prior to something happening, we may as well deal with it rather than waiting to go through the whole process that its going.....

Comm. Ramirez asked Insp. Fields if he mentioned that three (3) citizens would be sitting on these?

Insp. Fields answered not on the Sports Sanction Committee. I believe it is the Board of Ethics that has three (3) citizens. The Board of Ethics remains the same except for the removal of the Investigator rank.

Comm. Blackwell asked is what required here because they are not items that need to be approved by the DOJ? Are these items that we need to vote on today?

Comm. Norris stated that it is her understanding that from the Chief is that they were not for us to vote on today because they were going to go out for the citizens for any comments and they would be brought back to the Board in a week or two at best.

Comm. Vann asked what mechanism is in place to get this information out to the citizens?

Insp. Fields stated that he could not address that, and that it is out of the Chief's office.

Comm. Norris stated that there is a new protocol in place and this will be the first test of it so it has not actually happened yet. The new protocol is that they go up on the web page....

Insp. Fields asked are you talking about the policies?

Comm. Norris answered right. The policies go up on the web page and I think copies are available to citizens who want them. They can email in comments.

Insp. Fields stated to Comm. Vann about the policies that is premature to put up preliminary policies now because they are still being worked on by a lot of different people but once we receive a rough draft policy, when we feel we are inclusive, the public comments will be posted on the DPD website and the Internet, and there will be a link to the Civil Rights Integrity Bureau (C.R.I.B.), where citizens will be able to comment on the draft policies that are posted.

Comm. Vann stated that his only concern is that what awareness campaign has been taken on by the Department to make sure that the community is even aware of how they might give input?

Insp. Fields stated that at this time, it is prematurely in our posting but I have had conversations with DC Tara Dunlap and there will be such a campaign in effect so we get it out there. You are absolutely right and it will probably also be announced at one of the public forums. We want as much input as we can because that is how we get good policies.

Comm. Blackwell stated that one of the things that we might consider is that whenever it comes to us for a vote, that we announce it and have public comments react on it and we don't vote on it the same evening we get it.

Comm. Norris stated exactly.

Comm. Blackwell stated that is a way that the public has an opportunity and in addition to the posting on the website to have input. If want to delay it another meeting, we have the right to do that and we take as much time as we need.

Comm. Vann stated that Chairperson Hampton has been saying for some time that he wanted to have a community forum town meeting where possibly this could also be publicized in such a way that the community is made aware of that their input is desired with regards to these issues. I just think that we need to make sure that the community is aware. I am concerned that the community has the input that it is supposed to have based upon what the Consent Decree requires and what we should be doing. He is glad to hear what he is hearing today but prior to this time, he was at the news conference and that was a long time ago. He knows they have been here and already have come back with reports saying that we were not in compliance with only initiative or whatever it is. He thinks that reaching out and touching the community is important to have in this process.

Insp. Fields stated he agrees and it is very important in developing the protocol.

DC Tara Dunlap, Corporate Communications, states that according to what is required under the Consent Decree, we are making tremendous progress towards developing an informational campaign. It will not only be on the website that the public has access to the department through an Internet page that goes directly to the Civil Rights Integrity Bureau (C.R.I.B.) common known policies. It is also available on our Government Access channel 10 and it is running now and the public can be in communication with the Department. She announced that tonight under a separate forum, Chief Ella M. Bully-Cummings will be at the NAACP Membership meeting at the Northwest Activity Center, from 6:00 pm to 8:00 pm tonight, and that will be one of the topics that is discussed. It just happened to be on for tonight, it was not something that was intended for to comply with the Consent Decree.

In addition, we are working with the Office of the Chief Investigator, to get the brochures available in all scout cars. I know there are a couple of more yeses that are needed before they will be available to go in the scout cars. Once we receive them, we will move expeditiously to get those available on the street level to the communities for those that don't have access to the Internet.

Comm. Vann stated that he is very happy to hear that.

Comm. Norris stated that the concern she has is what Comm. Vann has touched on many times is she thinks that a lot is being done to get community input. By the time these policies come into us, even though we are supposed to be helping make policies; they have already been in the oven for quite some awhile. There is going to be a great deal of pressure on us to not fuss with them and I think the advisable for

those who are making the policies, to use our policy committee, which I believe is Comm. Hampton and Comm. Blackwell sit on. Not on every little policy where we are taking out an investigator because there are no investigators left. There is not a lot of controversy there, but on some of the more significant policies, there are some major policies that are going to be coming to us on Intermediate Use of Force, and things like that. Which I understand that everybody knows that they have to come to us, but by the time they come to us, they will have been priced out and all kinds of things will happen. I think that it is important that we have some involvement earlier on and not necessarily the whole Commission. As I have stated, we have a policy committee. I think otherwise, the risk is that when they come to us and they are almost fully baked, we exercise our rights to have some questions and concerns and send them back and undo the whole process, and it could get very messy.

Comm. Blackwell stated that on that point I think that we need to remember why we are here. We are here to act on behalf of the public and working with the Department and the people that are most concerned about these policies are the public. If we need to take a month, two months, or three months, then they just have to understand that. If everybody can have their kind of input, because Ron Scott and other people have constantly been saying that they are working on the problems, this needs to be a very thorough process and deliberative so that the Commission is really speaking as Commissioners but on behalf of the public.

Comm. Ramirez asked the citizens that are placed on this committee, can you give us.....

Insp. Fields answered, I can only give the protocol out of the Chief's office. I am not sure how that works.

Comm. Ramirez asked how are the citizens placed for those who wish to be on some of these committees? How do they go about applying?

Insp. Walter Martin responded by stating that these committees were formed in December from the Chief's office, from the Citizens Police Academy. Names were submitted of people who wanted to serve on certain committees. Out of the Training Bureau, the people that are on the committees are notified which committee they are on.

Comm. Ramirez asked when is the next Citizens Police Academy?

Insp. Walter Martin answered right now they are just starting again. They had a meeting scheduled last week with the alumni association, but it was cancelled because of the snow. We are waiting on a new date.

Comm. Vann stated that it is important to him when you have estimates of how much it is going to cost the city over five (5) year period and it is a million dollars. That is the figure that keeps coming back whether it is true or false. We don't know how

much the people who are consultants who are basically what the program associates are billable hours. We have to pay very dearly for this and it is in the city's best interest and quite sure the department as well for us to be past this as soon as we can. It is going to be in the best interest of the city to try to meet as well as the compliance issues especially as it relates to news and not to do things in such a way that it would lend itself to controversy and a backlash from the community. We can move together all of us, the administration, the department, commission, and the public moving together in the same direction. We have to be in compliance for two (2) years, am I correct?

Comm. Norris stated that for one Consent Decree, it is a two-year Consent Decree, which means we have to be in compliance within one year and then if we remain in compliance for one year, (inaudible is given two years. The other Consent Decree is a five-year Consent Decree, and we have three years to get in compliance and then it remains in effect for two years after that to monitor the compliance. If we want to be out of this in the five years, we have one year and three years to fully comply.

Comm. Blackwell stated why do we just procedurally have a motion to receive the information and file it away so that it is officially part of what we have done.

MOTION: **Comm. Norris** made the motion to receive the manual Directives as information and file on record.

SECOND: **Comm. Vann** seconded the motion.

VOTE: All in attendance voted in the affirmative.

6. OTHER BUSINESS

FYI – Comm. Norris stated that she attended the monthly meeting with the Monitor yesterday and as Director Goss reported last week, He, Mr. Sheard and myself met with DC Campbell following receipt of the Monitor's report to go over our strategies to do what we need to do. It is not been sufficient completion between the Department and our office, and we are working hard to improve that and DC Campbell is very receptive to issues that we raised concern at. I have been very pleased with what I have seen from our people and from the Department in terms of working towards compliance. There has been a lot of progress made and the Monitor made a comment yesterday about progress made. Obviously until all of the I's are dotted, and the t's are crossed on a particular issue, we are not being compliance on the issue. There are lots of draft policies and procedures that have been changed. A lot of things are happening in the right direction. Notwithstanding a report that is clear that we have a long ways to go. Movement is in the right direction and it appears at least

to the Monitor 's eyes to be appropriate pace given how early we are in this process.

Comm. Norris stated she was not present at last week's board meeting when the charter promotion took place. She wondered if there was any discussion among the Commissioners about the use of charter promotions as to how we view our role with regard to those. She would like to have that discussion without regard to a particular candidate. Because she does not think this is about a particular candidate but rather more about the process. Charter promotions are an area in which we have total process discretion on and we can if we want not to charter promotions. We have not had any in a number of years and there has been a reason for that which is that the Chief believed that people should be promoted on their merit according to the standards that were set. I guess I tend to agree with that. So I just wondered if there were any

Comm. Blackwell asked was it the former Chief?

Comm. Norris answered correct. The Chief that we had for the last two years when we didn't have any charter promotions. My feeling is that I understand from the current Chief and I agree that some of the factors that have been used in promotions are not factors that we have been totally comfortable with and that is why we have actually down a promotion once because we didn't like the factors. I understand that through bargaining maybe we are going to get the opportunity to revisit those factors. Once we have factors that we are comfortable with, really charter promotions should very much be an exception for very limited purposes. I think that it is difficult for those who are on promotional lists to get jumped over.

Comm. Vann stated that he knows that this has caused a lot of frustration and consolation in the past for different chiefs who had different styles. There have been Chiefs in the past who used charter promotions just as much as they used promotions that were earned. This is probably a continuing concern and more than likely if this Commission is in a position to share those kinds of views with the current Chief, he believes that there would be some sense of understanding. I think we were all very concerned last week and I crunched the Chief very silently to make sure that this was something that she wanted to do and she said that she did. I would hope that as we move forward as a Commission, that might be an issue and I think that the cooperation between the Chief and the Commission, the dialogue or the open communication is very good in order that we might keep the bridges of understanding open.

Comm. Blackwell stated that if the Board has right to approve something, we certainly had the right to reject it. With the new Chief, someone who as Comm. Vann stated, submitted it and I assume her being the professional that she is, there is a sound reason. It takes him back to the gentleman who really made a difference in the police department and that was Coleman Young. He basically

got involved in appointing the people above the rank of Lieutenant, Inspectors, and Commanders. Wondering what this police department would look like if everything went strictly on the list or test today. The city is 85% African American. He is real careful about that because people could ask why are we up here as appointees when there are people in the audience that are more qualified than we are? We think we offer something unique and obviously we accept the appointment. When I listen to the people that come in weekly, and people that are here speaking against police brutality, Ron Scott and others, they clearly could be sitting up here with expertise and many ways far superior to ours. We don't always know, police have a culture, they have things that they do; obviously, what is good about it is that it must come to the Board, because there is nothing that they can do without us. So far, I have really been impressed with the new Chief and her ability to evaluate the situation and make a determination that is in the best interest of the Department so I think that we always reserve the right to be very discerning over what comes in front of the Board but at the same time not knowing everything inside the operations of the police department. We certainly have a right to ask those questions and I did. The answer I received, I was satisfied. It sounds like we are moving in the right direction and we have a long way to go.

7. ORAL COMMUNICATION FROM THE AUDIENCE

Tracey Shields alleges that police reports are being erased from the system. She had three (3) break-ins in one week and nothing was done. She requested copies of PCR and the 7th Precinct is refusing to give her copies.

Reggie Crawford, police officer, expressed his concerns regarding the charter promotion of Sgt. Kenny Williams to Lieutenant. He also addressed a complaint that was filed with Office of the Chief Investigator in May and he has not heard a response.

Comm. Norris stated that the Investigator turned the investigation into Chief Investigation Sheard today. Mr. Sheard will review it quickly and either Comm. Ramirez or myself will receive it in a packet within a week and we review it and send it back for changes or we sign it. She totally agreed that filing a complaint in May and waiting until January for a result is too long. Under the Consent Decree, we are required to bring that time down to sixty-days. The investigators are working around the clock and the affects of the Consent Decree are that there is a great deal and more publicity about how to file complaints against the police department, which has been vastly, increased the number of complaints that we have without vastly increasing our number of investigators.

Comm. Norris stated that she is generally opposed to charter promotions. I won't say I will never approve one. I agree with Comm. Blackwell that if the

charter allows those promotions for particular reason, and there are times when they will be the right thing to do. I was not here last week, and I don't think it is fair to either the person that was promoted or my fellow Commissioners to question now whether that particular one was right. I do think it is fair to question generally how we are going to use these and I will keep doing that.

Investigator Joseph Turner, Jr. expressed his comments regarding being promoted to Sergeant and then being informed he was being removed from the promotion list because of a mistake.

Comm. Blackwell stated that what happened was terrible. A person was acknowledged that they were promoted and planning on the money, etc and it was pulled back. Whether it was a clerical error, Dir. Bryant-Weekes can address the technical aspects of what happened, but, addressed this to Chief raising the issue and stated that if the Department can find a way rather than stating that a mistake was made and to check and see if there is a way that these individuals can be promoted, understanding the budgetary process or budgetary restraints?

Comm. Norris stated that we have now reached our capacity on these certain positions and I am not sure that we are at capacity in all of our positions. If we can be given some lead way to spend the money basically for a couple of extra sergeants and that means we don't spend the money someplace else. I think that is a very reasonable thing to do but I think we have to find out what lead way we have in (inaudible)

Comm. Blackwell asked is there a way to make those to expeditiously make those who appointed that position in that position. You have our committee that we will begin that process today. All I can promise you is that we will do our very best and I don't know what the union contract says but we will be remised not to do all we can today to you and the others who were put in that position.

Comm. Norris stated that the wise minds to our right think that there may be some possibilities out there and whether it can happen immediately or whether we have some retirements coming in. We need to ask the department to look at their budget and come back to us and tell us if that is possible.

Sandra Hines expressed her concerns regarding the charter promotion of Sgt. Kenny Williams and having involvement working with anyone involved in illegal activity such as Eminem's wife. She also talked about Eugene Brown being promoted after involved in shooting. She alleges there is police corruption in the police department.

Ron Scott expressed his gratitude to Comm. Vann for the fine work he has done on the Board. He stated that citizens should be allowed to sit at the table when

decisions are being made. He suggested things should be looked into to have police officers move back into the city.

Lizetta Porter, Arnetta Grable's sister, expressed her concerns regarding no action being taken against Eugene Brown. Her sister has been awarded the money and has not received anything.

Comm. Vann stated that someone on the Commission needs to press the issue and there may be other issues. We use subpoena power and it has been totally disrespected. I am not casting any expunges on any individuals but we still... Do we have the Shoulders Report?

Executive Director Goss answered no we don't.

Comm. Vann stated that we have gotten the constant runaround as it relates to that. This has policy implications and it is not a witch-hunt. It has policy implications as it relates to this Commission and it is purview and it is charter-mandated responsibility for policy. It is so unfortunate and it has been a source of great frustration for me. Personally, I am hoping for some other Commissioners who will pick this up and carry it on.

Comm. Norris asked Comm. Vann under previous administration not this administration; this administration still has not given us a report either. But under the previous administration, we actually got a letter from the Law Department saying that they didn't understand why we would have any use for that report and again that goes to lack of understanding, that the Department sometimes has, that the city sometimes has about our policy rule. Our understanding is that there were issues regarding recruiting, regarding training, regarding discipline issues, regarding promotion issues, regarding investigatorial issues, all of which have policy ramifications which are directly within our purview and it is our job to just sit here and vote yes or no on policies. The charter says that we make policy and we have a say in what policies get made and that report is something that would have helped us do that. I have been on this commission three and a half years, not as long as Comm. Vann. At my first meeting, Mr. Vallery came up and said do you have the report yet? If we had it three and a half years ago, who knows what we could have done?

Herman Valley expressed his concerns regarding the shooting of his son Lamar Grable and he blames the police union for assisting Eugene Brown.

8. ANNOUNCEMENT OF NEXT MEETING

Thursday, January 29, 2004, @ 3:00 p.m.
Police Headquarters, Room 328-A
1300 Beaubien

Detroit, MI 48226

9. ADJOURNMENT

Meeting was adjourned at 3:36 p.m.

Respectfully Submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/fyh